

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

CHARLES RAY WARREN

PLAINTIFF

V.

CIVIL ACTION NO. 3:14cv236-CWR-FKB

MANAGEMENT & TRAINING CORP., ET AL.

DEFENDANTS

REPORT AND RECOMMENDATION

This cause comes before the Court *sua sponte* to dismiss this cause of action due to Plaintiff's failure to prosecute his claims. *Natural Gas Pipeline Co. v. Energy Gathering, Inc.*, 2 F.3d 1397, 1407 (5th Cir. 1993)(district court has inherent power to dismiss a case *sua sponte* for failure to prosecute despite language of Fed. R. Civ. P. 41(b) requiring motion by Defendant).

On December 18, 2014, Plaintiff failed to appear at the omnibus hearing set in this matter. The Court entered an Order on December 23, 2014, requiring Plaintiff to show cause for his failure to appear by January 16, 2015. [17]. Plaintiff failed to respond to the Order. Accordingly, Plaintiff having failed to appear at a hearing in this matter, and subsequently having failed to respond to a Show Cause Order, the undersigned recommends that this case be dismissed without prejudice.

The parties are hereby notified that failure to file written objections to the proposed findings, conclusions, and recommendation contained within this report and recommendation within fourteen (14) days after being served with a copy shall bar that party, except upon grounds of plain error, from attacking on appeal the unobjected-to proposed factual findings and legal conclusions accepted by the district court. 28 U.S.C. §636.

Respectfully submitted, this the 4th day of February, 2015.

/s/ F. Keith Ball
UNITED STATES MAGISTRATE JUDGE